IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 10790 of 2004(H)

PETITIONER:

DR.V.K.SREEKUMARAN,(ASST. PROFESSOR OF SURGERY(RETD) MEDICAL COLLEGE, KOZHIKODE) 9, AMBILI, SEEVELI NAGAR, PALKULANGARA, THIRUVANANTHAPURAM-695 024

BY ADV. SRI.P.K.SIVADASAN NAIR
SRI.S.MOHANDAS
SRI.S.MADHAVAN NAIR
SRI.V.B.PREMACHANDRAN
SRI.P.S.LAL MANOJ

RESPONDENTS:

1. **THE STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE (B) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM- 695001**

2. **THE DIRECTOR OF MEDICAL EDUCATION, THIRUVANANTHAPURAM-695 011**

3. **THE PRINCIPAL, MEDICAL COLLEGE, KOZHIKODE**

BY GOVERNMENT PLEADER SMT.SMITHA SUKUMARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF PROCEEDINGS DATED 29.3.2003 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P2: COPY OF LETTER DATED 11.7.2003 FROM THE ACCOUNTANT GENERAL(A & E), KERALA, TVPM, TO THE PETITIONER.

EXT.P3: COPY OF THE G.O. DATED 19.6.1991 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P4: COPY OF THE GO.O. DATED 9.6.1992 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P5: COPY OF THE G.O. DATED 23.12.1996 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER.

EXT.P6: COPY OF LETTER DATED 21.8.2000 FROM THE PRINCIPAL, MEDICAL COLLEGE, ALAPPUZHA, ADDRESSED TO THE 2ND RESPONDENT.

EXT.P7: COPY OF G.O.(P) 6/89/P&ARD DATED 30.3.1989 ISSUED BY THE 1ST RESPONDENT.

EXT.P8: COPY OF LETTER DATED 22.11.2001 FROM THE PRINCIPAL, MEDICAL COLLEGE, ALAPPUZHA ADDRESSED TO THE 2ND RESPONDENT.

EXT.P9: COPY OF LETTER NO.F5/23571/2000/DME DATED 9.8.02 FROM THE 2ND RESPONDENT TO THE PETITIONER.

EXT.P10: COPY OF LETTER DATED 24.8.2002 FROM THE PETITIONER TO THE 2ND RESPONDENT.

EXT.P11: COPY OF G.O.(RT) NO.2373/2002/H&FWD DATED 3.10.2002 ISSUED BY THE 1ST RESPONDENT.

EXT.P12: COPY OF ORDER DATED 5.10.2002 FROM THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P13: COPY OF LETTER DATED 10.3.2003 FROM THE 2ND RESPONDENT MEMO OF CHARGES AND STATEMENT OF ALLEGATIONS SERVED ON THE PETITIONER.

EXT.P14: COPY OF WRITTEN STATEMENT OF DEFENE SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 13.3.2003.

EXT.P15: COPY OF THE G.O. DATED 15.9.2003 ISSUED BY THE 1ST RESPONDENT.

EXT.P16: COPY OF REPRESENTATION DT.22.9.2004 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

EXT.P17: COPY OF RESPRESENTATION DT. 17.6.2005 SUBMITTED BY THE PETITIONER TO THE 1ST RESPONDENT.

TRUE COPY

P.A.TO JUDGE

THOTTATHIL B.RADHAKRISHNAN,J

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W.P.(C).No.10790 of 2004

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Dated this the 11th day of July, 2007

JUDGMENT

The petitioner challenges a show cause notice and also seeks certain other reliefs. There is no interim order. As of now, the enquiry proceedings have culminated and it is states that penalty has been passed. Hence this petition is closed without prejudice to contentions and leaving the petitioner with liberty to challenge the disciplinary proceedings and also to seek other reliefs as sought for in this writ petition.

THOTTATHIL B.RADHAKRISHNAN, JUDGE

dvs